

REMARKS

A restriction requirement was issued on November 30, 2001 in the above named case. At that time, the Applicants elected to pursue claims to a method of the invention. The Applicants now elect to pursue claims directed to the compositions of the invention.

Amendments have been made to the specification as shown above. The Applicants submit that none of changes constitute new matter. In the parent application, a sequence listing was filed with the application and referred to, albeit improperly, as "Appendix A" in the original claim 26. The attached sequence listing is now properly incorporated by reference, but does not constitute new matter as it was included in the original disclosure of the parent application. The Applicants have further included a paragraph regarding Government Support in relationship to the application. Information regarding NIH grants, the grantee and the subject matter to be studied using the grant funding are available to the general public through a database maintained by the NIH and well known to those skilled in the art. This information does not constitute new matter.

The specification has been amended throughout to include the indication of trademarks as is required and does not constitute new matter. References to the Sequence Listing, a part of the specification, have also been inserted into the text of the specification. As the reference is to part of the specification, it does not constitute new matter. A list of imaging methods from the original claim 9 have been incorporated into the summary of the invention on page 5. As these methods were disclosed in a portion of the original application, they do not constitute new matter.

The claims do not include matter beyond the scope of the originally submitted claims and are fully supported by the specification.

The list of references at the end of the specification is not intended to serve as an information disclosure statement or to meet the duty of disclosure. An information disclosure statement has been enclosed herewith.

FEES

It is believed that no fees are due in the case other than the filing fee. However, if an additional fee is due, the Commissioner is hereby entitled to charge Deposit Account No. 02-4070 referencing case number 6627-P0045C.

CONCLUSIONS

The Examiner is hereby requested to enter the forgoing amendment before examination of the application. If the Examiner requires clarification of the amendment or any further information, the Examiner is requested to contact the Agent for Applicant listed below by telephone, collect, to allow for the examination of the application.

Respectfully submitted,

Dated: November 12, 2003

By:



Colleen J. McKiernan, PhD
Agent for Applicant
Registration No. 48,570

BROWN MARTIN HALLER & McCLAIN LLP
1660 Union Street
San Diego, California 92101

Telephone: (619) 238-0999
Facsimile: (619) 238-0062
Docket No.: 6627-P0045D